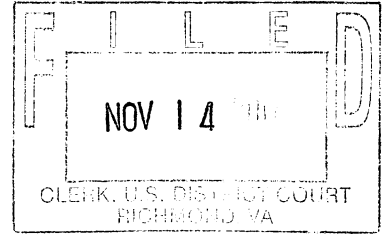


UNITED STATES DISTRICT COURT

for the

Eastern District of VirginiaRichmond Division

Beatrice Downs

Case No.

3:17 CV 760

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Governor Terry McAuliffe

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Beatrice Downs</u>
Street Address	<u>P. O. Box 1362 / 1225 E Gaskins Road Henrico Va.23238</u>
City and County	<u>Glen Allen</u>
State and Zip Code	<u>Virginia 23060</u>
Telephone Number	<u>804 3076691</u>
E-mail Address	<u>bnws67pp@gmail.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Terry McAuliffe
Job or Title <i>(if known)</i>	Governor of Virginia
Street Address	1111 E Broad St. #3
City and County	Richmond
State and Zip Code	Virginia 23219
Telephone Number	804 786 2211
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

First Admendment: Does an individual peacefully protesting on sidewalk, state property complies with exercising first admendment rights? Did the security guard action telling her she can't protest here, and then told her she had to leave the area infringed on those rights?

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.
Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

see attached sheets

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11-11-2017

Signature of Plaintiff

Beatrice Downs

Printed Name of Plaintiff

Beatrice DOWNS

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

On August 3, 2017 I Beatrice Downs went down to governor McAullife office to peacefully protest on the sidewalk front Entrance state property, to publicize my grievances. Concerns And dissatisfaction with the action from state and county Agents against me. Intermis of their severe, pervasive and Unrelenting retaliation system of abuse that I have experience For over 20 years now. Punishment for filing a discrimination Claim with the EEOC back in 1991, against the state agency Where I worked at the Medical College of Virginia hospital In the capacity of a nurse. I made signs spelling out my concerns and issues. Seeking relief from the abuse, And to ask the governor for a pardon. The security guard came out and told me I could'nt protest there that I had to leave Which I did, he gave me a number to call to get a permit to Protest. I called the number and spoke with Kristy Martin@dgs. Virginia.gov she told me she had to make arrangements with the governor's office before I could protest.

After the incident on August 3, 2017 I learned that the action
Taken by the security guard against me infringed on
constitutionally protected rights of the first admendment
Free speech, free assembly and freedom to petition for redress
Of grievances and concerns. And 14th admendment due process
I have suffered greatly over the years in areas of employment
Adverse medical treatment, on 6/11/2002 went to the
Emergency room with complaints sharp pain in my back and
Abdomen, the treatment I received was abusive. Four ct scans
Were done back to back plus two chest xrays.unnecssary and
Excessive exposure to radiation administered improperly.
Medical records incorrect order in which they were done.
There were no IV contrast administered at all, only oral contrast
The following is the correct order

- 1.) with out contrast
- 2.) with contrast
- 3.) with out constrast
- 4.) with contrast

Question is if you already have taken oral contrast how can you
do one with out and get the proper results.

A week after that encounter at the emergency room I developed blisters around my neck waist and left arm big watery blisters that would run down my back. They would dry up and come back, this went on for 3 months. I had no insurance so I didn't go back for treatment for fear of more

Adverse medical treatment. I have no doubt blisters was a result of excessive over exposure to radiation from 4 ct scans

Plus 2 chest xrays. Punishment from the state's retaliation system. Me and my family have suffered greatly from this on going retaliation with no end insight. My daughter was 6 years old at the time. We lived in homeless shelters for 3 years as I

Could not provide the basic necessities due to the lack of employment, we faced many hardships, and struggles as we were being beaten down on a daily bases for over 20 years with no regards for human frailty.

On September 22, 2017 I went back down to governor McAullife office with my signs to exercise my constitutional right to publicize my grievances, concerns and dissatisfaction with state and county agents unrelenting pervasive and severe abuse against me. Once again security guard came out told me I has to leave the area you cannot protest in this area.

My conduct was peaceful and orderly, just walking carrying my signs. I left the area as I was told to do.

The right to protest in public places is fundamental to who we are as free and democratic people. Government has no power to restrict expression because of message, its ideal, its subject matter, or its content in traditional public forum.

Supreme Court decisions holds that public streets are the quintessential public forums, public places, historically associated with free exercise of expressive activities.

The reason why Governor McAulliffe I am asking for a pardon,
Is because I feel like I have been in prison for over 20 years, In
The state of Virginia notorious retaliation system. When I think
Back over the years the threats on my life, so much has happen.
After filing the discrimination claim with the EEOC, I remember
Working the 3-11 shift my car parked in the MCV employee's
Parking deck someone disable my brake lights and signal lights
On my car. I use the interstate 95 to go home, I did not know
Until I got on 95 and trucks and cars were blowing their horns at
Me, what going on here why are they blowing horns so much.
But by the grace of God I made it home safely. The next
Morning I took my car in to be service and discovered that the
Man told me lady someone has tampered with your car.
He ask me where do you work I told him MCV hospital
Someone must not like you there because this was deliberately
Done, you could have been run over by a tractor trailer truck or

Worse look like some one wants to get rid of you.

If you had an accident you would have been charged with

Operating a vehicle with no lights. It scared me to death just

Thinking about what could have happen, He told me you should

Report this to the police. Because someone attempted to kill you

By tampering with your car. I have a story to tell I believe it

Should be told so as to help someone else out there that is going

Thru the same hell that I went thru. I did not break any laws nor

Committed any crime yet I've treated like a criminal.

No one should have to go thru this kind of retaliation and abuse

For exercising their rights.

I know that the fact I am a Black African American does not

Help things only makes it more intense. Because this society is

Fixed on the color of skin and it has only gotten more prevalent

Today then ever instead of moving forward with race issues we

We as a nation are moving backward.

Oppressed people cannot remain oppressed forever. The
Yearning for freedom eventually manifests itself and that is
What has happened to this American negro Beatrice Downs
(MLK)

Governor McAulliffe I have seen in the media where prisoners
Who have wrongly served time in prison for long periods
Time and was later found to be not guilty of crimes they were
Charged with. They were compensated for the mistakes that
Was made. I am seeking the same kind of compensation as I am
Not guilty of breaking any law instead I have been law-biding
Tax- paying citizen of the commonwealth. A victim of a cruel
And unjust retaliation system aimed at punishing African
American who dare to file discrimination claims against a state
Agency.

(7)

The following are court cases used to support my petition

- 1.) Frisby v Schultz, 487 U.S. 474, 480 (1988)
- 2.) First Unitarian Church of Salt Lake City v Salt Lake City corp; 308 F. 3d 1114,1122-23 (10th cir 2002)
- 3.) Grace, 461 U.S. at 177
- 4.) Edwards v South Carolina, 372 U.S.229 (1963)
- 5.) Gregory v City of Chicago, 394 U.S. 111 (1969)
- 6.) U.S. v Apel, 134 s. Ct.1144 (2014)